## UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

WENDELL H. STONE, INC. T/D/B/A STONE & COMPANY, INC.

Employer

and

Case 06-RC-090306

INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL #66, 66A, B, C, D, O & R, AFL-CIO

Petitioner

## **DECISION AND DIRECTION**

The National Labor Relations Board has considered challenged ballots in a mail ballot election held November 20, 2012, and the Hearing Officer's report recommending disposition of them. The election was conducted pursuant to a Stipulated Election Agreement. The tally of ballots shows 9 ballots cast for and 8 ballots cast against the Petitioner, with 1 void ballot and 5 challenged ballots, a sufficient number to affect the results.

No exceptions have been filed to the Hearing Officer's report within the time provided. Accordingly, the Board adopts the Hearing Officer's findings and recommendations.<sup>1</sup>

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<sup>&</sup>lt;sup>1</sup> The Hearing Officer recommended overruling the challenges to the ballots of Rodger Kalp, Gregory R. Reshenberg, and Mark Seighman, and sustaining the challenges to the ballots of Brain Orait and Aaron Von Fleet.

## **DIRECTION**

IT IS DIRECTED that the Regional Director for Region 6 shall, at an appropriate time to be determined by him, open and count the ballots of Rodger Kalp,

Gregory R. Reshenberg, and Mark Seighman, and thereafter prepare and serve on the parties a revised tally of ballots, and issue the appropriate certification.

Dated, Washington, D.C., February 28, 2013.

By direction of the Board:

Henry S. Breiteneicher

Associate Executive Secretary